



## Joint Public Notice

Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management **Consistency Concurrence** 

**US Army Corps of Engineers** Regulatory Branch Post Office Box 3755 Seattle, WA 98124-3755

Telephone (206) 764-6907 Attn: Jack Kennedy, Project Manager WA Department of Ecology

SEA Program Post Office Box 47600 Olympia, WA 98504 Telephone (360) 407-6926 Attn: Lori Ochoa, SEA Program,

Federal Permit Coordinator

Public Notice Date: 19 March 2009 Expiration Date: 18 April 2009

Reference No.: NWS-2007-555 Name: Wahkiakum County Public

Works Department

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the United States as described below and shown on the enclosed drawings.

The Corps will review the work in accordance with Section 10 of the 1899 Rivers and Harbors Act. Ecology will review the work pursuant to the Coastal Zone Management Act.

APPLICANT: Wahkiakum County Public Works Department

Post Office Box 97

Cathlamet, Washington 98612

ATTN: Pete Ringen

Telephone: (360) 795-3301

AGENT:

Herrera Environmental Consultants

1220 East 4th Avenue

Olympia, Washington 98506

ATTN: Erik Schwartz Telephone: (360) 754-7644

LOCATION: In the Columbia River, near River Mile 43, at Puget Island, Wahkiakum County, Washington.

WORK: Rebuild the Wahkiakum County ferry terminal. The work would occur in the following sequence:

- Construct a new, temporary ferry loading slip consisting of a pile-supported loading platform extending about 12 feet waterward of the line of Mean Higher High Water (MHHW, 6.3 feet above the plane of Mean Lower Low Water), a new 111-foot long transfer span and apron running from the loading platform to a modular pontoon float, seven positioning dolphins and four pontoon-securing piles.
- Remove the existing transfer span, support float, dolphins and piling.
- Construct a new, permanent ferry loading slip consisting of a pile-supported loading platform extending about 60 feet waterward of the line of MHHW, then repositioning the new transfer span and apron, and modular pontoon float into their permanent location, and installing seven positioning dolphins and four pontoon-securing piles.
- Remove all in-water piling associated with the temporary loading slip.

<u>PURPOSE</u>: Rebuild a ferry terminal that has reached the end of its design lifespan.

ADDITIONAL INFORMATION: Wahkiakum County operates a ferry across the Columbia River, between Puget Island on the Washington side of the river, and Westport, Clatsop County, Oregon. The ferry service links Washington State Route 4, which runs along the north side of the Columbia River, with U.S. Route 30 in Oregon, which runs along the south bank of the Columbia River. To the west, the nearest bridge across the Columbia River is the Astoria Bridge at River Mile 14, some 29 miles downstream. The nearest bridge to the east is the Lewis and Clark Bridge between Longview, Washington and Rainier, Oregon, 23 miles upstream at River Mile 66.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat.

The Federal Highway Administration (FHWA), as the lead agency for ESA consultation, has consulted with the NMFS and the USFWS as required under Section 7 of the ESA. FHWA determined that the project may affect and is likely to adversely affect species listed by the NMFS, but would not adversely affect their designated critical habitat. A Biological Opinion concurring with that determination was issued by NMFS on February 3, 2009. FHWA also determined that the work fell into the category of "may affect, not likely to adversely affect" species listed by the USFWS. USFWS concurred with that finding on October 29, 2007.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact EFH in the project area.

The FHWA, as the lead agency for a determination regarding EFH, has consulted with the NMFS. FHWA's conclusion, concurred with by NMFS, is that the work will not adversely affect EFH.

<u>CULTURAL RESOURCES</u>: The FHWA, as the lead agency for determining compliance with Section 106 of the National Historic Preservation Act, has consulted with the State Historic Preservation Office as appropriate. This public notice initiates consultation under Section 106 of the National Historic Preservation Act with any Tribe that has information or concerns with historic properties in the proposed permit area.

<u>PUBLIC HEARING:</u> Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

<u>EVALUATION</u> – <u>CORPS</u>: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

<u>EVALUATION</u> – <u>ECOLOGY</u>: Ecology is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

<u>ADDITIONAL EVALUATION</u>: This proposal is the subject of Shorelines Substantial Development Permit No. 2007-2-17, issued by the Wahkiakum County Planning Commission on June 26, 2007.

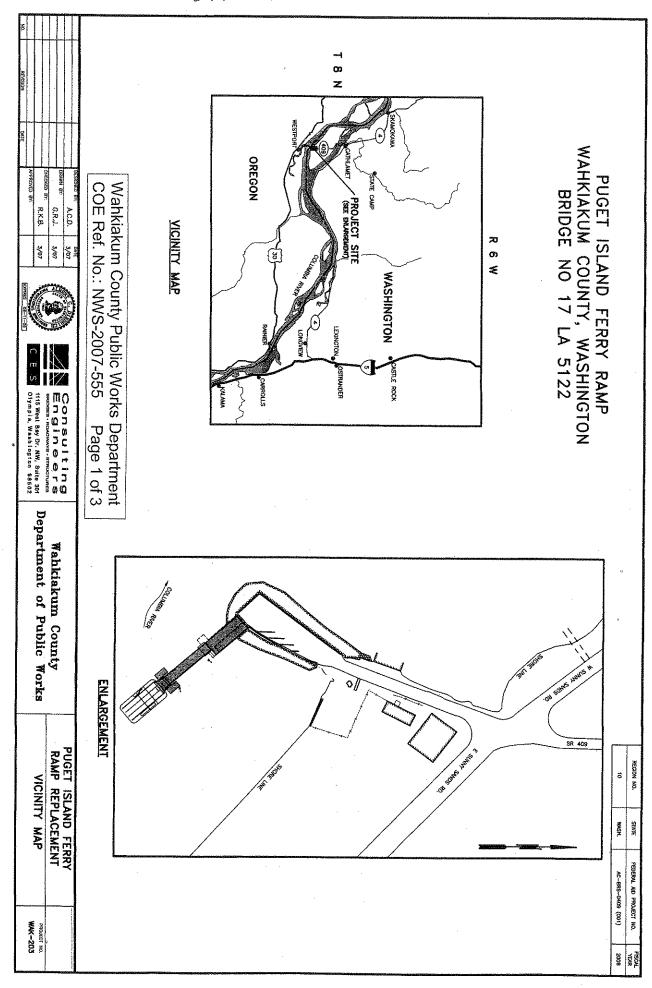
<u>COMMENT AND REVIEW PERIOD</u>: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration.

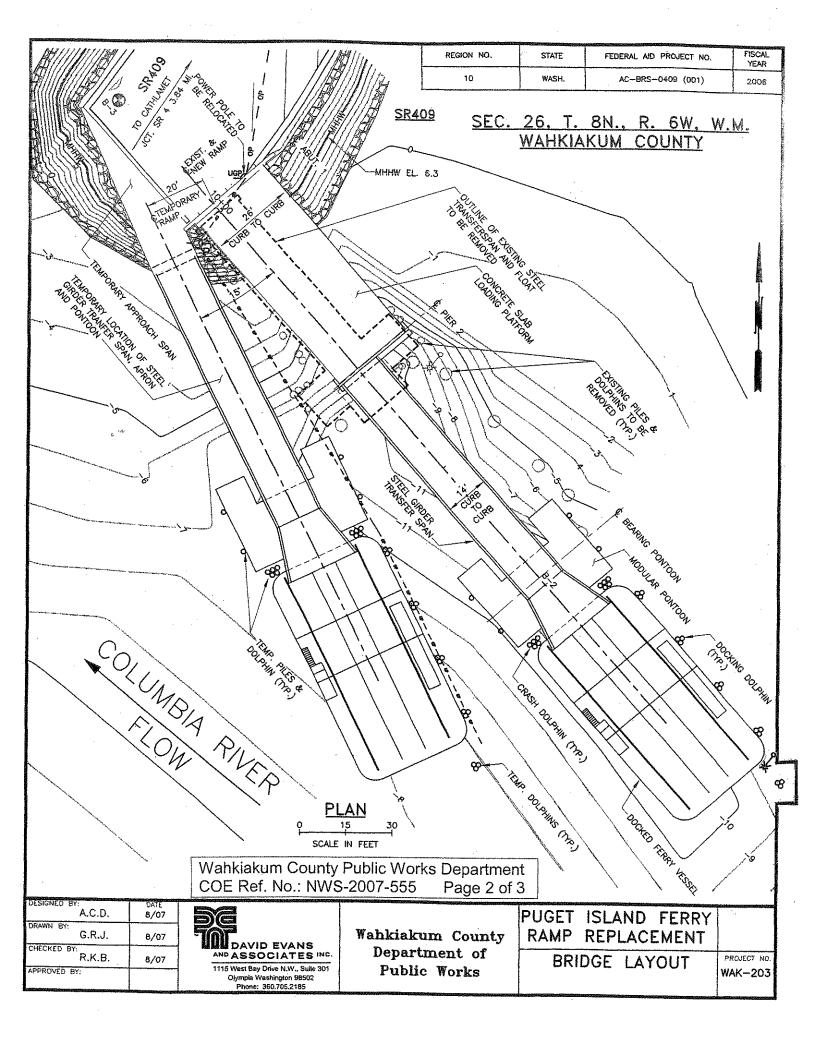
<u>Corps comments</u>: All e-mail comments should be sent to <u>jack.kennedy@usace.army.mil</u>. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Jack Kennedy, Post Office Box 3755, Seattle, Washington, 98124-3755.

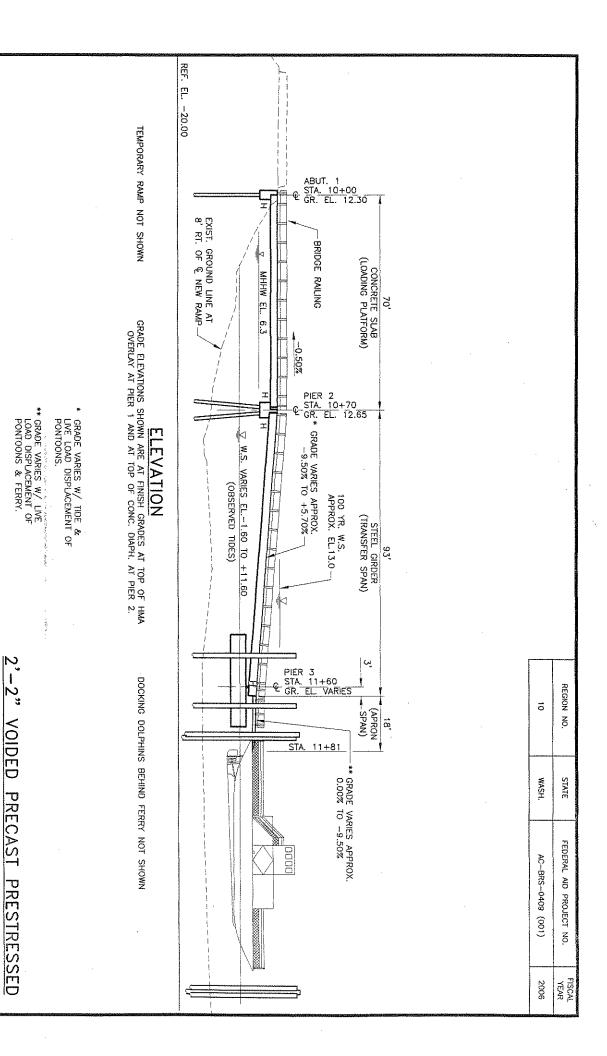
Ecology Comments: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Department of Ecology, Attn: SEA program – Federal Permit Coordinator, P.O. Box 47600, Olympia, Washington, 98504-7600, or e-mail to ecyrefedpermits@ecy.wa.gov.

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Wahkiakum County Public Works Department, NWS-2007-555.

Encl: Figures (3)







VERTICAL DATUM
MEAN LOW LOW WATER (MLLW)

COE Ref. No.: NWS-2007-555

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RAMP REPLACEMENT

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& STEEL HS-25

GIRDER

Wahkiakum County
Department of
Public Works

Wahkiakum County Public Works Department

APPROVED BY:

A.C.D. G.R.J. R.K.B.

8/07

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